

## Message Text

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PAGE 01 USUN N 00511 110042Z

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ACTION IO-11

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INFO AMEMBASSY LONDON

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E.O. 11652: N/A

TAGS: PFOR, UNSC

SUBJ: THE VETO IN THE SECURITY COUNCIL

1. UN PRESS SPOKESMAN BEAVAN HAS MADE FOLLOWING REMARKS  
IN RESPONSE TO PRESS INTEREST IN SUBJECT:

QUOTE:

MR. BEAVAN SAID THAT HE HAD BEEN ASKED MANY QUESTIONS OUTSIDE  
THE BRIEFING REGARDING "THE CONSTITUTIONAL ISSUE" IN  
COUNCIL IN RELATION TO ARTICLE 27 OF THE CHARTER, RAISED  
BY A NUMBER OF SPEAKERS IN THE DEBATE ON FRIDAY. HE  
SAID HE WOULD ANSWER AS BEST HE COULD, BEFORE THE ISSUES  
WERE RAISED IN THE BRIEFING TODAY, SINCE HE WANTED TO  
AVOID GETTING INTO ANY DETAILED DISCUSSION.

HE SAID HE EMPHASIZED THAT HE WAS NOT A CONSTITUTIONAL  
LAWYER, BUT AN INFORMATION OFFICER. NOTHING HE WAS GOING  
TO SAY WAS TO BE INTERPRETED AS A JUDGEMENT ON ANYTHING  
THAT MIGHT HAPPEN IF THE ISSUES WERE TO BE RAISED AGAIN.

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PAGE 02 USUN N 00511 110042Z

HAVING SAID THAT, HE REFERRED CORRESPONDENTS TO "REPERTORY

OF PRACTICE OF UNITED NATIONS, VOLUME II, ARTICLES 23-54 OF THE CHARTER," NEW YORK 1955. HE SAID CORRESPONDENTS MIGHT WISH IN THEIR RESEARCH TO LOOK UP PAGES 83 FOLLOWING HEADED, "THE QUESTION OF THE APPLICATION OF THE PROVISIO OF ARTICLE 27(3) REGARDING ABSTENTION FROM VOTING BY A PARTY TO A DISPUTE."

HE SAID, AGAIN EMPHASIZING THIS WAS FOR INFORMATION, AND IN NO WAY A JUDGEMENT, THAT PARAGRAPH 54 STATED IN PART THE FOLLOWING: "IN THE EARLY MEETINGS OF THE COUNCIL, ATTENTION WAS DIRECTED TO DETERMINING THE CIRCUMSTANCES IN WHICH THE PROVISIO APPLIED. DISCUSSION CENTERED IN VARYING DEGREE ON THREE SUBSIDIARY QUESTIONS: (A) THE DETERMINATION THAT THE QUESTION BEFORE THE COUNCIL WAS A DISPUTE; (B) THE FINDING THAT THE DECISION TO BE TAKEN WAS A DECISION UNDER CHAPTER VI; (C) THE IDENTIFICATION OF THE PARTIES ..."

HE SUGGESTED THAT CORRESPONDENTS INTERESTED COULD PURSUE THE QUESTION THROUGH THE REPERTORY OF PRACTICE.

ASKED IF THE MATTER WAS TO BE PURSUED BY COUNCIL MEMBERS, HE SAID HE COULD NOT SAY. HE COULD ONLY STATED THAT IN THE COUNCIL ON FRIDAY A NUMBER OF COUNCIL MEMBERS RESERVED THEIR RIGHT TO PURSUE THE MATTER. WAS THE ISSUE OF THE FRENCH "VETO" ON FRIDAY OVER? MR. BEAVAN SAID THAT SINCE THERE HAD BEEN NO SPECIFIC CHALLENGE, BUT STATEMENTS OF POSITION AND THE RESERVING OF RIGHTS TO RAISE THE GENERAL ISSUE, THE FACT WAS THAT ON FRIDAY A VOTE HAD TAKEN PLACE, STOOD AND WAS SO RECORDED. THE SPECIFIC VOTE WAS NOT IN QUESTION; THE RIGHT TO RAISE THE GENERALITY AT SOME OTHER TIME HAD BEEN RESERVED BY SOME DELEGATIONS. UNQUOTE. MOYNIHAN

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